

## IN THE CIRCUIT COURT OF ST. LOUIS COUNTY, MISSOURI

FRANK HAUSMAN

Plaintiff

v.

Case No.

MATTHEW HEUSER

Serve at:  
2103 Kennland Blvd.  
Louisville, KY 40223

Defendant

MOTION FOR APPROVAL AND APPOINTMENT OF PRIVATE PROCESS SERVER

COMES NOW Plaintiff, by and through its attorney of record, and for its Motion for Approval/Appoint of Private Process Server, and requests that D&B Legal Services, Inc.: Legal Names (s):

Alisha Allen PPS21-0094  
Jamie Andrews PPS21-0022  
Sallie Bailey PPS21-0023  
Brian Bankowski PPS21-0099  
Dustin Becraft PPS21-0024  
Carrington Bell PPS21-0025  
Miranda Bergner PPS21-0101  
Steven Bergner PPS21-0026  
Thomas Bogue PPS21-0027  
Mathew Bohrer PPS21-0103  
Arthur Boyer PPS21-0028  
Scott Brady PPS21-0029  
Donald Branda PPS21-0104  
Jeff Brown PPS21-0030  
Hester Bryant PPS21-0614  
Randy Burrow PPS21-0107  
Gary Burt PPS21-0031  
Glen Cobb PPS21-0114  
Norman Collins PPS21-0115  
Michael Conklin PPS21-0120  
Lisa Corbett PPS21-0122  
Bert Daniels PPS21-0615  
Richard Davis PPS21-0617  
David Dice PPS21-0032  
Maureen Dice PPS21-0033  
Norman Diggs PPS21-0125  
Edwina Ditmore PPS21-0126

Marrisa Doan PPS21-0619  
William Ferrell PPS21-0034  
Robert Finley PPS21-0035  
Ramona Foster PPS21-0132  
James Frago PPS21-0036  
John Frago PPS21-0037  
David Garza PPS21-0134  
Bradley Gordon PPS21-0038  
Thomas Gorgen PPS21-0039  
Mason Gray PPS21-0140  
Charles Gunning PPS21-0040  
Michael Hancock PPS21-0041  
James Hannah PPS21-0042  
Rufus Harmon PPS21-0043  
Stephen Heitz PPS21-0044  
James Hise PPS21-0045  
Gerald Hissam PPS21-0621  
William Hockersmith PPS21-0046  
Alex Holland PPS21-0622  
James Johnson PPS21-0623  
Mike Johnson PPS21-0047  
Tawanda Johnson PPS21-0048  
Patrick Jones PPS21-0049  
Wendy Hilgenberg PPS21-0050  
Brent Kirkhart PPS21-0051  
Janice Kirkhart PPS21-0052  
Tyler Kirkhart PPS21-0053

Cody Kyser PPS21-0161  
Raymond Land PPS21-0162  
Bert Lott PPS21-0054  
Frank Lundien PPS21-0168  
Chad Maier PPS21-0170  
Lyle Malcom PPS21-0625  
Daniel Maglothin PPS21-0624  
Kenneth Marshall PPS21-0171  
Deborah Martin PPS21-0055  
Michael Martin PPS21-0056  
Casey McKee PPS21-0626  
Timothy McLeary PPS21-0057  
Jennifer Mead PPS21-0628  
Michael Meador PPS21-0058  
Maria Meier PPS21-0059  
Heather Merfen PPS21-0060  
Thomas Melte PPS21-0061  
Jill Miller PPS21-0178  
Michael Miller PPS21-0062  
Matthew Millhollin PPS21-0063  
Angela Molt PPS21-0462  
Carlos Moreno PPS21-0181  
Jason Moody PPS21-0064  
Andrew Myers PPS21-0629  
James Myers PPS21-0630  
Stephanle Myers PPS21-0631  
Christopher New PPS21-0632

Exhibit B

Jeremy Nicholas PPS21-0065  
 Michael Noble PPS21-0066  
 Greg Noll PPS21-0067  
 Mike Perry PPS21-0633  
 Robert Peters PPS21-0193  
 Carrie Pfelfer PPS21-0068  
 Craig Poesse PPS21-0069  
 Dee Powell PPS21-0070  
 Samantha Powell PPS21-0071  
 William Powell PPS21-0072  
 Kim Presler PPS21-0073  
 Marcus Presler PPS21-0074  
 Mark Rauss PPS21-0075  
 Jorge Rivera PPS21-0634  
 Sammie Robinson PPS21-0635  
 Jason Rodgers PPS21-0076

Richard Roth PPS21-0077  
 Edna Russell PPS21-0078  
 Juan Santos PPS21-0207  
 Brian Scheer PPS21-0208  
 Brenda Schiwitz PPS21-0079  
 Mark Schneider PPS21-0209  
 Joe Sherrod PPS21-0212  
 Michael Siegel PPS21-0213  
 Robert Simpson PPS21-0214  
 Laura Skinner PPS21-0080  
 Thomas Skinner PPS21-0081  
 Richard Skyles PPS21-0082  
 Anthony Spada PPS21-0083  
 Michael Stogsdill PPS21-0636  
 John Stotler PPS21-0220  
 Randy Stone PPS21-0219

Sonja Stone PPS21-0218  
 Stephanie Taggart PPS21-0637  
 David Talliaferro PPS21-0638  
 Michael Taylor PPS21-0639  
 Lucas Traugott PPS21-0223  
 Ryan Weekley PPS21-0084  
 Misty Wege PPS21-0230  
 Andrew Wheeler PPS21-0085  
 Pamela Wheatley PPS21-0086  
 Andrew Wickliffe PPS21-0087  
 Gregory Willing PPS21-0088  
 Conni Wilson PPS21-0089  
 Stan Yoder PPS21-0233  
 Jacqueline Young PPS21-0090  
 Greg Zotta PPS21-0091

who are qualified persons to serve process, are not parties to the case and are not less than eighteen (18) years of age, as private process servers in the above cause to serve process in this case.

By: 

### ORDER

It is hereby ordered that the Plaintiff's Motion for Approval and Appointment of private process server is granted, and the above-named individuals are hereby approved and appointed to serve process in the above-captioned matter.

Date: \_\_\_\_\_

\_\_\_\_\_  
 Judge or Clerk

In the  
**CIRCUIT COURT**  
 Of St. Louis County, Missouri



For File Stamp Only

Frank Hausman  
 Plaintiff/Petitioner

November 29, 2021  
 Date

21SL-CC05620  
 Case Number

vs.

Matthew Heuser  
 Defendant/Respondent

8  
 Division

**REQUEST FOR APPOINTMENT OF PROCESS SERVER**

Comes now Plaintiff Frank Hausman, pursuant  
 Requesting Party

to Local Rule 28, and at his/her/its own risk requests the appointment of the Circuit Clerk of

James Karas of D&B Legal Services, PO Box 7471, Overland Park, KS 66207 (913) 362-8110  
 Name of Process Server Address Telephone

Tija Jackson of D&B Legal Services, PO Box 7471, Overland Park, KS 66207 (913) 362-8110  
 Name of Process Server Address or in the Alternative Telephone

Name of Process Server Address or in the Alternative Telephone

Natural person(s) of lawful age to serve the summons and petition in this cause on the below  
 named parties. This appointment as special process server does not include the authorization  
 to carry a concealed weapon in the performance thereof.

**SERVE:**

Matthew Heuser  
 Name  
2103 Kennland Blvd.  
 Address  
Louisville, KY 40223  
 City/State/Zip

**SERVE:**

Name  
 Address  
 City/State/Zip

Appointed as requested:  
**JOAN M. GILMER**, Circuit Clerk

By \_\_\_\_\_  
 Deputy Clerk

\_\_\_\_\_ Date

**SERVE:**

Name  
 Address  
 City/State/Zip

**SERVE:**

Name  
 Address  
 City/State/Zip

[Signature]  
 Signature of Attorney/Plaintiff/Petitioner  
40571  
 Bar No.  
221 W. Lexington, Ste. 200, Independence, MO 64050  
 Address  
(816) 471-4511 (816) 471-8450  
 Phone No. Fax No.

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By \_\_\_\_\_  
 Deputy Clerk

\_\_\_\_\_ Date

**SERVE:**

Name  
 Address  
 City/State/Zip

**SERVE:**

Name  
 Address  
 City/State/Zip

[Signature]  
 Signature of Attorney/Plaintiff/Petitioner  
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 Bar No.  
221 W. Lexington, Ste. 200, Independence, MO 64050  
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## Local Rule 28. SPECIAL PROCESS SERVERS

(1) Any Judge may appoint a Special Process Server in writing in accordance with the law and at the risk and expense of the requesting party except no special process server shall be appointed to serve a garnishment [except as allowed by Missouri Supreme Court Rule 90.03(a)].

This appointment as Special Process Server does not include the authorization to carry a concealed weapon in the performance thereof.

(2) The Circuit Clerk may appoint a natural person other than the Sheriff to serve process in any cause in accordance with this subsection;

(A) Appointments may list more than one server as alternates.

(B) The appointment of a person other than the Sheriff to serve process shall be made at the risk and expense of the requesting party.

(C) Any person of lawful age, other than the Sheriff, appointed to serve process shall be a natural person and not a corporation or other business association.

(D) No person, other than the Sheriff, shall be appointed to serve any order, writ or other process which requires any levy, seizure, sequestration, garnishment, [except as allowed by Missouri Supreme Court Rule 90.03(a)], or other taking.

(E) Requests for appointment of a person other than the Sheriff to serve process shall be made on a "Request for Appointment of Process Server" electronic form, which may be found on the Court's Web Site, <https://wp.stlcourtscourts.com> > forms.

(F) This appointment as Special Process Server does not include the authorization to carry a concealed weapon in the performance thereof.

## SERVICE RETURN

Any service by the St. Louis County Sheriff's Office shall be scanned into the courts case management system. Any service by another Sheriff or a Special Process Server or any other person authorized to serve process shall return to the attorney or party who sought service and the attorney shall file the return electronically to the Circuit Clerk.



In the  
**CIRCUIT COURT**  
 Of St. Louis County, Missouri



For File Stamp Only

Frank Hausman  
 Plaintiff/Petitioner

November 29, 2021  
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 Address  
Louisville, KY 40223  
 City/State/Zip

SERVE:  
 Name  
 Address  
 City/State/Zip

Appointed as requested:  
**JOAN M. GILMER**, Circuit Clerk

By /s/Adam Dockery  
 Deputy Clerk  
12/8/2021  
 Date

SERVE:  
 Name  
 Address  
 City/State/Zip

SERVE:  
 Name  
 Address  
 City/State/Zip

[Signature]  
 Signature of Attorney/Plaintiff/Petitioner  
40571  
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IN THE CIRCUIT COURT OF ST. LOUIS COUNTY, MISSOURI

FRANK HAUSMAN

Plaintiff

v.

Case No. Case No. 21SL-CC05620

MATTHEW HEUSER

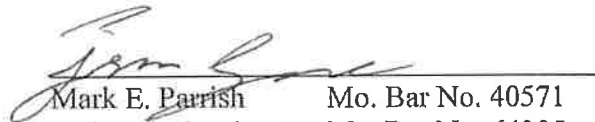
Defendant

CERTIFICATE OF SERVICE

I hereby certify that Plaintiff's First Interrogatories to Defendant and Plaintiff's First Request for Production of Documents to Defendant are being served with the Petition by private process server.

Respectfully submitted,

BOYD KENTER THOMAS & PARRISH, LLC



Mark E. Parrish Mo. Bar No. 40571

Joshua A. Sanders Mo. Bar No. 64305

Erica Fumagalli Mo. Bar No. 70069

PO Box 1099

221 W. Lexington Avenue, Suite 200

Independence, Missouri 64051

Telephone: (816) 471-4511

Facsimile: (816) 471-8450

E-mail: [mparrish@bktplaw.com](mailto:mparrish@bktplaw.com)

E-mail: [jsanders@bktplaw.com](mailto:jsanders@bktplaw.com)

E-mail: [efumagalli@bktplaw.com](mailto:efumagalli@bktplaw.com)

ATTORNEYS FOR PLAINTIFF





## IN THE 21ST JUDICIAL CIRCUIT COURT, ST. LOUIS COUNTY, MISSOURI

Judge or Division: DEAN PAUL WALDEMER	Case Number: 21SL-CC05620	(Date File Stamp)
Plaintiff/Petitioner: FRANK HAUSMAN	Plaintiff's/Petitioner's Attorney/Address: JOSHUA ALTON SANDERS PO BOX 332 GREENWOOD, MO 64034-0332	
Defendant/Respondent: MATTHEW HEUSER	Court Address: ST LOUIS COUNTY COURT BUILDING 105 SOUTH CENTRAL AVENUE CLAYTON, MO 63105	
Nature of Suit: CC Wrongful Death		

**Summons for Personal Service Outside the State of Missouri  
(Except Attachment Action)**

The State of Missouri to: MATTHEW HEUSER  
Alias:

2103 KENNLAND BLVD.  
LOUISVILLE, KY 40223

COURT SEAL OF



ST. LOUIS COUNTY

You are summoned to appear before this court and to file your pleading to the petition, copy of which is attached, and to serve a copy of your pleading upon the attorney for the Plaintiff/Petitioner at the above address all within 30 days after service of this summons upon you, exclusive of the day of service. If you fail to file your pleading, judgment by default will be taken against you for the relief demanded in this action.

**SPECIAL NEEDS:** If you have special needs addressed by the Americans With Disabilities Act, please notify the Office of the Circuit Clerk at 314-615-8029, FAX 314-615-8739, email at SLCADA@courts.mo.gov, or through Relay Missouri by dialing 711 or 800-735-2966, at least three business days in advance of the court proceeding.

08-DEC-2021

Date

Further Information:

AD

*Joan P. Dilley*  
Clerk

## Officer's or Server's Affidavit of Service

I certify that:

- I am authorized to serve process in civil actions within the state or territory where the above summons was served.
- My official title is \_\_\_\_\_ of \_\_\_\_\_ County, \_\_\_\_\_ (state).
- I have served the above summons by: (check one)
  - ☐ delivering a copy of the summons and a copy of the petition to the Defendant/Respondent.
  - ☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the Defendant/Respondent with \_\_\_\_\_, a person at least 18 years of age residing therein.

☐ (for service on a corporation) delivering a copy of the summons and a copy of the petition to \_\_\_\_\_ (name) \_\_\_\_\_ (title).

☐ other (describe) \_\_\_\_\_ (address)

Served at \_\_\_\_\_ County, \_\_\_\_\_ (state), on \_\_\_\_\_ (date) at \_\_\_\_\_ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

Subscribed and Sworn To me before this \_\_\_\_\_ (day) \_\_\_\_\_ (month) \_\_\_\_\_ (year)

I am: (check one)

- ☐ the clerk of the court of which affiant is an officer.
- ☐ the judge of the court of which affiant is an officer.
- ☐ authorized to administer oaths in the state in which the affiant served the above summons. (use for out-of-state officer)
- ☐ authorized to administer oaths. (use for court-appointed server)

(Seal)

Signature and Title

**Service Fees, if applicable**

Summons \$ \_\_\_\_\_  
 Non Est \$ \_\_\_\_\_  
 Mileage \$ \_\_\_\_\_ ( \_\_\_\_\_ miles @ \$ \_\_\_\_\_ per mile)  
 Total \$ \_\_\_\_\_

See the following page for directions to clerk and to officer making return on service of summons.

### Directions to Officer Making Return on Service of Summons

A copy of the summons and a copy of the motion and/or petition must be served on each Defendant/Respondent. If any Defendant/Respondent refuses to receive the copy of the summons and motion and/or petition when offered to him, the return shall be prepared to show the offer of the officer to deliver the summons and motion and/or petition and the Defendant's/Respondent's refusal to receive the same.

Service shall be made: (1) On Individual. On an individual, including an infant or incompetent person not having a legally appointed guardian, by delivering a copy of the summons and motion and/or petition to the individual personally or by leaving a copy of the summons and motion and/or petition at the individual's dwelling house or usual place of abode with some person of the family over 15 years of age, or by delivering a copy of the summons and motion and/or petition to an agent authorized by appointment or required by law to receive service of process; (2) On Guardian. On an infant or incompetent person who has a legally appointed guardian, by delivering a copy of the summons and motion and/or petition to the guardian personally; (3) On Corporation, Partnership or Other Unincorporated Association. On a corporation, partnership or unincorporated association, by delivering a copy of the summons and motion and/or petition to an officer, partner, or managing or general agent, or by leaving the copies at any business office of the Defendant/Respondent with the person having charge thereof or by delivering copies to its registered agent or to any other agent authorized by appointment or required by law to receive service of process; (4) On Public or Quasi-Public Corporation or Body. On a public, municipal, governmental or quasi-public corporation or body in the case of a county, to the mayor or city clerk or city attorney in the case of a city, to the chief executive officer in the case of any public, municipal, governmental, or quasi-public corporation or body or to any person otherwise lawfully so designated.

Service may be made by an officer or deputy authorized by law to serve process in civil actions within the state or territory where such service is made.

Service may be made in any state or territory in the United States. If served in a territory, substitute the word "territory" for the word "state."

The officer making the service must swear an affidavit before the clerk, deputy clerk, or judge of the court of which the person is an officer or other person authorized to administer oaths. This affidavit must state the time, place, and manner of service, the official character of the affiant, and the affiant's authority to serve process in civil actions within the state or territory where service is made.

Service must not be made less than ten days nor more than sixty days from the date the Defendant/Respondent is to appear in court. The return should be made promptly, and in any event so that it will reach the Missouri Court within 30 days after service.

## THE CIRCUIT COURT OF ST. LOUIS COUNTY, MISSOURI

Twenty First Judicial Circuit

### NOTICE OF ALTERNATIVE DISPUTE RESOLUTION SERVICES

#### Purpose of Notice

As a party to a lawsuit in this court, you have the right to have a judge or jury decide your case. However, most lawsuits are settled by the parties before a trial takes place. This is often true even when the parties initially believe that settlement is not possible. A settlement reduces the expense and inconvenience of litigation. It also eliminates any uncertainty about the results of a trial.

Alternative dispute resolution services and procedures are available that may help the parties settle their lawsuit faster and at less cost. Often such services are most effective in reducing costs if used early in the course of a lawsuit. Your attorney can aid you in deciding whether and when such services would be helpful in your case.

#### Your Rights and Obligations in Court Are Not Affected By This Notice

You may decide to use an alternative dispute resolution procedure if the other parties to your case agree to do so. In some circumstances, a judge of this court may refer your case to an alternative dispute resolution procedure described below. These procedures are not a substitute for the services of a lawyer and consultation with a lawyer is recommended. Because you are a party to a lawsuit, you have obligations and deadlines which must be followed whether you use an alternative dispute resolution procedure or not. **IF YOU HAVE BEEN SERVED WITH A PETITION, YOU MUST FILE A RESPONSE ON TIME TO AVOID THE RISK OF DEFAULT JUDGMENT, WHETHER OR NOT YOU CHOOSE TO PURSUE AN ALTERNATIVE DISPUTE RESOLUTION PROCEDURE.**

#### Alternative Dispute Resolution Procedures

There are several procedures designed to help parties settle lawsuits. Most of these procedures involve the services of a neutral third party, often referred to as the "neutral," who is trained in dispute resolution and is not partial to any party. The services are provided by individuals and organizations who may charge a fee for this help. Some of the recognized alternative dispute resolutions procedures are:

**(1) Advisory Arbitration:** A procedure in which a neutral person or persons (typically one person or a panel of three persons) hears both sides and decides the case. The arbitrator's decision is not binding and simply serves to guide the parties in trying to settle their lawsuit. An arbitration is typically less formal than a trial, is usually shorter, and may be conducted in a private setting at a time mutually agreeable to the parties. The parties, by agreement, may select the arbitrator(s) and determine the rules under which the arbitration will be conducted.

**(2) Mediation:** A process in which a neutral third party facilitates communication between the parties to promote settlement. An effective mediator may offer solutions that have not been considered by the parties or their lawyers. A mediator may not impose his or her own judgment on the issues for that of the parties.

CCADM73

**(3) Early Neutral Evaluation (“ENE”):** A process designed to bring the parties to the litigation and their counsel together in the early pretrial period to present case summaries before and receive a non-binding assessment from an experienced neutral evaluator. The objective is to promote early and meaningful communication concerning disputes, enabling parties to plan their cases effectively and assess realistically the relative strengths and weaknesses of their positions. While this confidential environment provides an opportunity to negotiate a resolution, immediate settlement is not the primary purpose of this process.

**(4) Mini-Trial:** A process in which each party and their counsel present their case before a selected representative for each party and a neutral third party, to define the issues and develop a basis for realistic settlement negotiations. The neutral third party may issue an advisory opinion regarding the merits of the case. The advisory opinion is not binding.

**(5) Summary Jury Trial:** A summary jury trial is a non binding, informal settlement process in which jurors hear abbreviated case presentations. A judge or neutral presides over the hearing, but there are no witnesses and the rules of evidence are relaxed. After the “trial”, the jurors retire to deliberate and then deliver an advisory verdict. The verdict then becomes the starting point for settlement negotiations among the parties.

### **Selecting an Alternative Dispute Resolution Procedure and a Neutral**

If the parties agree to use an alternative dispute resolution procedure, they must decide what type of procedure to use and the identity of the neutral. As a public service, the St. Louis County Circuit Clerk maintains a list of persons who are available to serve as neutrals. The list contains the names of individuals who have met qualifications established by the Missouri Supreme Court and have asked to be on the list. The Circuit Clerk also has Neutral Qualifications Forms on file. These forms have been submitted by the neutrals on the list and provide information on their background and expertise. They also indicate the types of alternative dispute resolution services each neutral provides.

A copy of the list may be obtained by request in person and in writing to: Circuit Clerk, Office of Dispute Resolution Services, 7900 Carondelet Avenue, 5th Floor, Clayton, Missouri 63105. The Neutral Qualifications Forms will also be made available for inspection upon request to the Circuit Clerk.

The List and Neutral Qualification Forms are provided only as a convenience to the parties in selecting a neutral. The court cannot advise you on legal matters and can only provide you with the List and Forms. You should ask your lawyer for further information.

CCADM73



**AFFIDAVIT OF SERVICE**

State of Missouri

County of ST LOUIS

Circuit Court

Case Number: 21SL-CC05620

Plaintiff:  
**FRANK HAUSMAN**  
 vs.  
 Defendant:  
**MATTHEW HEUSER**



For: BOYD KENTER THOMAS &amp; PARRISH LLC

Received by D & B Legal Services, Inc. on the 9th day of December, 2021 at 9:11 am to be served on **MATTHEW HEUSER**, 2103 KENNLAND BLVD, LOUISVILLE, KY 40223. I, James Keras, being duly sworn, depose and say that on the 9th day of December 2021 at 7:00pm., executed service by delivering a true copy of the Summons, Notice of Alternative Dispute Resolution Services, Petition, Certificate of Service, Plaintiff's First Interrogatories to Defendant, Plaintiff's First Request for Production of Documents and Things to Defendant in accordance with state statutes in the manner marked below:

☒ INDIVIDUAL SERVICE: Served the within-named person.

☐ INDIVIDUAL SERVICE AT ALTERNATE ADDRESS: Served the within-named person at the alternate address of \_\_\_\_\_

☐ SUBSTITUTE RESIDENTIAL: By serving \_\_\_\_\_ as \_\_\_\_\_

☐ SUBSTITUTE RESIDENTIAL AT ALTERNATE ADDRESS: By Serving \_\_\_\_\_ as \_\_\_\_\_ At the address of \_\_\_\_\_

☐ POSTED: ☐ at a public place, address listed below - ☐ at the residence of the within-named person, address listed below.

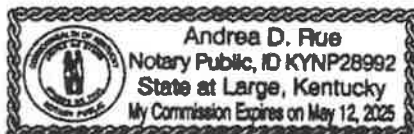
☐ NON SERVICE: For the reason detailed in the Comments below.

COMMENTS: \_\_\_\_\_

I certify that I have no interest in the above action, am of legal age and have proper authority in the jurisdiction in which this service was made.

Subscribed and Sworn to before me on the 13 day of December 2021 by the affiant who is personally known to me.

Andrea D. Rue  
 NOTARY PUBLIC



James Keras  
 PROCESS SERVER # NA  
 Appointed in accordance with State Statutes

D & B Legal Services, Inc.  
 P.O. Box 7471  
 Overland Park, KS 66207  
 (913) 362-8110

Our Job Serial Number: 2021011843

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## IN THE 21ST JUDICIAL CIRCUIT COURT, ST. LOUIS COUNTY, MISSOURI

Judge or Division: DEAN PAUL WALDEMER	Case Number: 21SL-CC05620
Plaintiff/Petitioner: FRANK HAUSMAN	Plaintiff's/Petitioner's Attorney/Address: JOSHUA ALTON SANDERS PO BOX 332 GREENWOOD, MO 64034-0332
Defendant/Respondent: MATTHEW HEUSER	Court Address: ST LOUIS COUNTY COURT BUILDING 105 SOUTH CENTRAL AVENUE CLAYTON, MO 63105
Nature of Suit: CC Wrongful Death	(Date File Stamp)

**Summons for Personal Service Outside the State of Missouri**  
(Except Attachment Action)

The State of Missouri to: **MATTHEW HEUSER**  
Alias:

2103 KENNLAND BLVD.  
LOUISVILLE, KY 40223

COURT SEAL OF



ST. LOUIS COUNTY

You are summoned to appear before this court and to file your pleading to the petition, copy of which is attached, and to serve a copy of your pleading upon the attorney for the Plaintiff/Petitioner at the above address all within 30 days after service of this summons upon you, exclusive of the day of service. If you fail to file your pleading, judgment by default will be taken against you for the relief demanded in this action.

**SPECIAL NEEDS:** If you have special needs addressed by the Americans With Disabilities Act, please notify the Office of the Circuit Clerk at 314-615-8029, FAX 314-615-8739, email at SLCADA@courts.mo.gov, or through Relay Missouri by dialing 711 or 800-735-2966, at least three business days in advance of the court proceeding.

08-DEC-2021

Date

Further Information:

AD

*Jean P. Dillman*  
Clerk

## Officer's or Server's Affidavit of Service

I certify that:

- I am authorized to serve process in civil actions within the state or territory where the above summons was served.
- My official title is \_\_\_\_\_ of \_\_\_\_\_ County, \_\_\_\_\_ (state).
- I have served the above summons by: (check one)
  - ☐ delivering a copy of the summons and a copy of the petition to the Defendant/Respondent.
  - ☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the Defendant/Respondent with \_\_\_\_\_, a person at least 18 years of age residing therein.

☐ (for service on a corporation) delivering a copy of the summons and a copy of the petition to \_\_\_\_\_ (name) \_\_\_\_\_ (title).

☐ other (describe) \_\_\_\_\_ (address)

Served at \_\_\_\_\_ County, \_\_\_\_\_ (state), on \_\_\_\_\_ (date) at \_\_\_\_\_ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

Subscribed and Sworn To me before this \_\_\_\_\_ (day) \_\_\_\_\_ (month) \_\_\_\_\_ (year)

I am: (check one)

- ☐ the clerk of the court of which affiant is an officer.
- ☐ the judge of the court of which affiant is an officer.
- ☐ authorized to administer oaths in the state in which the affiant served the above summons. (use for out-of-state officer)
- ☐ authorized to administer oaths. (use for court-appointed server)

(Seal)

Signature and Title



FILED  
DEC 22 2021  
JOAN M. GILMER  
CLERK OF COURT

IN THE CIRCUIT COURT OF ST. LOUIS COUNTY, MISSOURI

FRANK HAUSMAN  
Plaintiff

v.

Case No. 21SL-CC05620

MATTHEW HEUSER.  
Defendant

ANSWER OF MATTHEW HEUSER


The Defendant, Matthew Heuser, pro se, for his Answer states as follows:

1. Numbered Paragraphs 6, 9, 10, 11, and 13 of the complaint are admitted.
2. As to Paragraphs 7 and 8, jurisdiction and venue are admitted. Other averments of these paragraphs is denied.
3. Paragraphs 12, 14, 15, 16, 17, 18, 19, 20, 21, 22, 24-27, 29-31 of the complaint are denied.
4. Defendant is without knowledge or belief sufficient to form a belief as to the truth of the averments contained in Paragraph 1, 2, 3, 4, 5 and 32, therefore those paragraphs are denied.
5. Paragraphs 23 and 28 are redundant and are denied as surplusage.
6. All other averments contained in the complaint are denied.

**Affirmative Defenses**

7. The complaint fails to state a claim upon which relief can be granted.
8. The plaintiff is not the real party in interest or lacks standing to bring the claims.
9. The damages were not proximately caused by Defendant and are barred by considerations of comparative fault.

Respectfully Submitted,

  
Matthew Heuser  
2103 Keeneland Blvd.  
Louisville, KY 40223  
Defendant, *Pro Se*

### CERTIFICATE OF SERVICE

I hereby certify that on this 15 day of December, 2021, the foregoing ANSWER was served upon the Plaintiff by delivering a true copy thereof to the United States Postal Service, first class postage prepaid addressed to Joshua Sanders, P.O. Box 1099, 221 W.Lexington Ave Ste 200, Independence, MO 64051

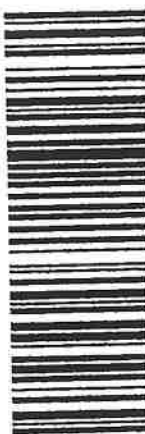
  
Matthew Heuser

Filing Clerk  
Clerk of the Circuit Court  
Circuit Court of St. Louis County, Missouri  
105 South Central Avenue  
Clayton, MO 63105

Hon. Joshua Sanders, Esq.  
Boyd Kenter Thomas & Parrish, LLC  
P.O. Box 1099  
221 W.Lexington Ave Ste 200  
Independence, MO 64051

Matthew Heuser  
2103 Keeneland Blvd.  
Louisville, KY 40223

MATTHEW HEUSER  
2103 KEENE LAND BLVD  
LOUISVILLE KY 40223



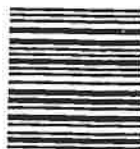
7020 1290 0000 6114 4355

FILING CLERK

CLERK OF THE CIRCUIT COURT  
CIRCUIT COURT OF ST LOUIS COUNTY MISSOURI  
105 SOUTH CENTRAL AVENUE  
CLAYTON MO 63105



1000



63105

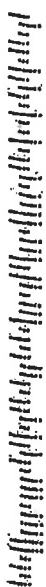
U.S. POSTAGE PAID  
FOR MATTHEW HEUSER  
CLARKSVILLE, IN  
DEC 29 5, 21  
AMOUNT

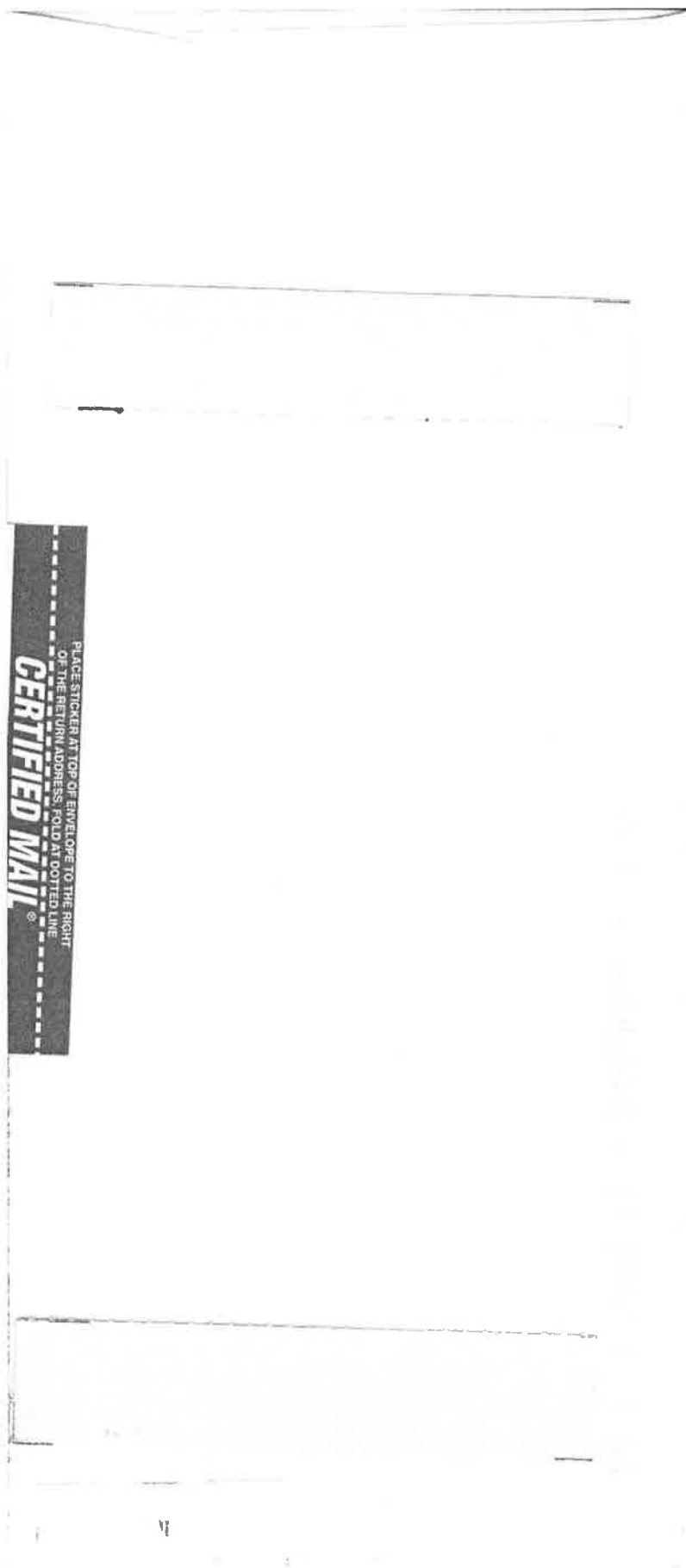
**\$7.58**

R2305M147434-04

cc

6310581775 0020





IN THE CIRCUIT COURT OF ST. LOUIS COUNTY  
STATE OF MISSOURI

FRANK HAUSMAN,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Case No. 21SL-CC05620
	)	
MATTHEW HEUSER,	)	
	)	
Defendant.	)	

**ENTRY OF APPEARANCE**

COME NOW Christopher P. Leritz and Leritz & Plunkert, P.C. and enter their appearance as attorneys for Defendant Matthew Heuser.

Respectfully submitted,

/s/ Christopher P. Leritz

Christopher P. Leritz, #39864  
LERITZ & PLUNKERT, P.C.  
555 Washington Avenue, Suite 600  
St. Louis, MO 63101  
[cpleritz@leritzlaw.com](mailto:cpleritz@leritzlaw.com)  
(314) 231-9600  
(314) 231-9480 – Facsimile

ATTORNEYS FOR DEFENDANT  
MATTHEW HEUSER

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that the foregoing was electronically filed with the Circuit Court of St. Louis County, Missouri this 29<sup>th</sup> day of December, 2021, with service via operation of the Court's electronic filing system upon all parties of record.

/s/ Christopher P. Leritz

IN THE CIRCUIT COURT OF ST. LOUIS COUNTY  
STATE OF MISSOURI

FRANK HAUSMAN,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Case No. 21SL-CC05620
	)	
MATTHEW HEUSER,	)	
	)	
Defendant.	)	

**ENTRY OF APPEARANCE**

COMES NOW Joseph R. Dreyer and enters his appearance as co-counsel for Defendant Matthew Heuser.

Respectfully submitted,

/s/ Joseph R. Dreyer  
Joseph R. Dreyer, #30721  
LERITZ & PLUNKERT, P.C.  
555 Washington Avenue, Suite 600  
St. Louis, MO 63101  
[jdreyer@leritzlaw.com](mailto:jdreyer@leritzlaw.com)  
(314) 231-9600  
(314) 231-9480 – Facsimile

CO-COUNSEL FOR DEFENDANT  
MATTHEW HEUSER

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/s/ Joseph R. Dreyer



IN THE CIRCUIT COURT OF ST. LOUIS COUNTY  
STATE OF MISSOURI

FRANK HAUSMAN	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Case No. 21SL-CC05620
	)	
MATTHEW HEUSER	)	
	)	
Defendant.	)	

**CERTIFICATE OF SERVICE**

DEFENDANT MATTHEW HEUSER'S FIRST INTERROGATORIES DIRECTED TO PLAINTIFF FRANK HAUSMAN and DEFENDANT MATTHEW HEUSER'S FIRST REQUEST FOR PRODUCTION OF DOCUMENTS DIRECTED TO PLAINTIFF FRANK HAUSMAN were sent via email this 3<sup>rd</sup> day of January, 2022, in Word Format and PDF to: Mark E. Parrish, [mparrish@bktplaw.com](mailto:mparrish@bktplaw.com); Joshua A. Sanders, [jsanders@bktplaw.com](mailto:jsanders@bktplaw.com); and Erica Fumagalli, [efumagalli@bktplaw.com](mailto:efumagalli@bktplaw.com), *Attorneys for Plaintiff*.

Respectfully Submitted,

LERITZ & PLUNKERT, P.C.

/s/ Christopher P. Leritz

Christopher P. Leritz, # 39864

Joseph R. Dreyer, #30721

555 Washington Avenue, Suite 600

St. Louis, Missouri 63101

[cleritz@leritzlaw.com](mailto:cleritz@leritzlaw.com)

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